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YREKA, CALIF.

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF SISKIYOU

John H. Mason, et al.,
Plaintiffs,

vs.

Harry M. Bemrod, et al.,
Defendants.

No. 14478

Stipulation for Judgment

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereunto subscribed, whether or not parties to the above entitled action, that all of their rights and interests of what so ever kind and character in and to the waters of French Creek stream system in Siskiyou County, California, and in and to the use thereof, are hereby finally settled and compromised as hereinafter set forth, and the Division of Water Resources of the Department of Public Works of the State of California is hereby authorized to report to the above entitled Court to the effect that said parties signatory hereto are entitled to rights in and to the waters of said stream system, and in and to the use thereof in the amounts, for use upon the lands, and at the diversion points as set forth in tables numbered respectively one, two, three, four, five, and six, which said

tables are annexed hereto and hereby, by this reference thereto, made part and parcel of this stipulation and agreement with like effect as if incorporated herein; and further subject to, and in accordance with the following 24 paragraphs.

General Definitions and Limitations

1.

The above entitled Court is hereby authorized to enter a judgment in the above entitled action, which judgment shall adjudicate the entire water right of each and every party signatory hereto as against each and every other party signatory hereto, with like effect as if the pleadings in said action properly embraced and included the relative rights, and the whole thereof, of each and every party signatory hereto as against each and every other party signatory hereto, irrespective of and without regard to their status as plaintiffs or defendants and irrespective of and without regard to any possible objection that any of such rights may not be embraced within the issues raised by the pleadings filed in said action, and said Court is hereby authorized to enter such judgment based upon and in accordance with this stipulation regardless of whether all of the parties to said action are or are not signatories hereto.

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This stipulation shall be binding upon all the parties signatory hereto regardless of whether one or more of the parties to the above entitled action shall or shall not sign this stipulation and

agreement and shall have the effect of settling and determining all issues among, and by and between, all parties signatory hereto to the waters of said French Creek stream system, and in and to the use thereof, provided however, inasmuch as this stipulation is based upon a compromise between the parties signatory hereto that nothing contained in this stipulation shall, or shall be construed to, in any manner, prejudice or affect any right, claim or defense of any party signatory hereto with respect to or against any person, firm, corporation or interest which may fail to subscribe these presents.

This stipulation constitutes a general appearance in the above entitled action by each party signatory hereto.

The term "party" when hereinafter used means party signatory hereto.

3.

The term "stream system" when used herein means French Creek and its tributaries; the term "water right owners" when used herein means a party who is presently using or is entitled to use the water of French Creek stream system.

4.

Although all quantities of water allotted to respective parties for direct application to beneficial use are expressed in terms of continuous flow, nevertheless, nothing herein contained shall be construed as limiting or restricting the right of any water right owner to rotate in the use of water or the right of any party to divert for limited periods of time convenient "irrigation heads", and thus apply water to his lands at a greater rate than

indicated by the quantity of continuous flow so allotted; provided, that such practice of rotation or use of "irrigation head" shall not result in the use by any party of a total quantity of water during any thirty-day period in excess of the equivalent of such parties continuous flow allowance for thirty days; and provided further, that this practice of rotation or use of "irrigation heads" shall not impair or infringe the rights of any other party.

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Nothing herein contained shall be construed to prevent any parties herein, who jointly use a ditch for which there is a continuous flow allotment, from employing by agreement a system of rotation in use as among themselves; or prevent any party herein who has allotments in two or more ditches, from using all or any portion of the aggregate of such allotments through any of these ditches on all or any portion of his lands; provided the total quantity of water diverted by such party at any time shall not exceed the aggregate of such allotments; and provided further, such practice of rotation or use of combined allotments shall not impair or infringe the rights of any other party hereto.

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The term "directly apply to beneficial use" means the direct conveyance and application of water diverted to beneficial use without intermediate storage, except such regulation as may be practiced for the purpose of equalizing the flow of water diverted for a convenient irrigation head.

The term "natural flow" means such flow as will naturally occur at any given point in a stream from the runoff of the watershed which it drains, from springs which naturally contribute to the stream, from seepage, and from waste and return flow from dams, conduits, and irrigated lands, as distinguished from released stored water.

Nothing herein contained shall be construed to allocate to any party hereto a right to divert from French Creek stream system, at any time, a quantity of water in excess of an amount reasonably necessary for his requirements and applied to beneficial use.

The Division of Water Resources Map, hereinafter referred to as D.W.R. Map, is the map prepared by the Department of Public Works of the State of California, Division of Water Resources, from its surveys made in 1953 and revised in 1955, to show changes in ownership and additional diversions. This map is entitled "French Creek Stream System showing Diversions and Irrigated Lands, Siskiyou County, California" dated 1953, revised 1955, is by reference made part and parcel of this stipulation.

Definition of Water Rights

The respective parties hereto are entitled to rights in and to the water, and in and to the use thereof, from the stream system and are divided into four separate groups, designated as follows: (1) Springs and Unnamed

Stream Group (Table 1), (2) North Fork French Creek Group (Table 2), (3) Miners Creek Group (Table 3), and (4) French Creek, Payne Lake Creek, Horse Range Creek, and Duck Lake Creek Group (Table 4). All rights in Group 1 (Springs and Unnamed Streams) are independent of each other and superior to the rights in all other groups. The rights in Group 2 (North Fork French Creek) and in Group 3 (Miners Creek) are each independent of the rights in all other groups and are each superior to all rights in Group 4 (French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek).

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The respective parties are entitled to use of the water from French Creek stream system upon the respective places of use described under their names in Table 5, and are entitled to divert water at the respective points of diversion from the stream system as named, numbered, and described in Table 6.

The respective parties are entitled to "interrelated", "special class", and "surplus class" rights. The respective parties entitled to "special class" rights are set forth in Table 1 Springs and Unnamed Streams Group, and the respective parties entitled to "interrelated" rights are set forth in Tables 2, 3 and 4 North Fork French Creek Group, Miners Creek Group and French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek Group respectively. The North Fork French Creek Group contains one right in "surplus class" as hereinafter set forth in paragraph 16 of this Stipulation which right is subject to and inferior to all rights in North Fork French Creek Group.

12

All allotments in Springs and Unnamed Springs Group, are for continuous use without regard to season. All allotments in North Fork French Creek Group, Miners Creek Group, and French Creek, Payne Lake Creek, Horse

Range Creek and Duck Lake Creek Group, Table 2, 3 and 4, respectively, are for continuous use without regard to season, but are limited during the period from October 1 of each year to March 31 of the succeeding year, to the amount required for domestic, stock water or other beneficial use.

Definition of Water Rights in
Springs and Unnamed Streams Group

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The Springs and Unnamed Streams Group, as designated in Paragraph 10, comprises rights in and to the water, and in and to the use thereof from Springs and Unnamed Streams. Rights in this group, as set forth in Table 1 and defined in Paragraph 10, are independent of each other and superior to all other rights.

Definition of Water Rights in
North Fork French Creek Group

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The North Fork French Creek Group, comprises all rights in and to the use of water from North Fork French Creek. Rights in this group as set forth in Table 2, are interrelated with each other as defined in paragraph 15, are independent of the rights in Miners Creek Group and superior in right to French Creek, Payne Lake Creek, Horse Range Creek Group.

15

The respective parties enumerated in Table 2 are entitled to rights in "first priority class", "second priority class", and "third priority class", in and to the use of the natural flow of North Fork French Creek and its tributaries during the seasons stated in Paragraph 12, of this stipulation for domestic,

stockwatering, and irrigation purposes upon their lands as shown on DWR Map and as described under their respective names in Table 5, in accordance with the acreages to be supplied, priorities and quantities of water allotted, at the points of diversion, as numbered and as shown after their names in Table 2. The rights in "first priority class" are equal in priority and correlative in right, but are superior in priority and in right to all other rights in Table 2, and at all times when the available water supply of North Fork French Creek and its tributaries is inadequate to supply all rights in "first priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "first priority class". The rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to the rights in "first priority class", but are superior in priority and in right to all other rights in Table 2, and at all times when the available water supply of North Fork French Creek and its tributaries is inadequate to supply all rights in "second priority class", then during the continuance of such shortage, the respective parties shall prorate the available supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "second priority class". The rights in "third priority class" are equal in priority and correlative in right, but are subject and inferior to all other rights in Table 2, and at all times when the available water supply of North Fork French Creek and its tributaries is inadequate to supply all rights in "third priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "third priority class", provided, however, that nothing herein contained shall be construed as modifying the

provisions of that certain agreement dated May 3, 1945, recorded May 4, 1945, Volume 172, Page 103, of Official Records of Siskiyou County, California, concerning ditch rights and method of distribution of water diverted through the North Fork Ditch as between the owners of said ditch.

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Subject to the rights defined in Paragraph 15, R. E. Richman, Vera M. Richman; Calvin A. Ball, Velda C. Ball; John T. Timmons, Marion F. Timmons; Warren J. Halliday, Nedra Halliday; Carl F. Tuttle, Sr., and Robert V. Tuttle are entitled to divert as a right in "surplus class" at a point designated on said D.W.R. Map as Diversion 15 described in Table 6 hereof, for storage in Smith Lake 80 acre-feet per annum during each season from October 1 to July 1 of the next succeeding year, for domestic, stockwatering and irrigation purposes or as much of said amount of water as is thereafter withdrawn by means of Smith Lake Siphon into North Fork French Creek during the period from April 1 to October 1, both dates inclusive of each year, said water to be rediverted from North Fork French Creek through the North Fork Ditch and applied to beneficial use for irrigation purposes on lands described under their names in Table 5.

Each of the parties is entitled to use said water from Smith Lake in proportion to his interest in Smith Lake Siphon as follows:

<u>Name of Owner</u>	<u>Interest</u>
R. E. Richman and Vera M. Richman	3/21
Calvin A. Ball and Velda C. Ball	3/21
John T. Timmons and Marion F. Timmons	1/21
Carl F. Tuttle, Sr. and Robert V. Tuttle	7/21
Warren J. Halliday and Nedra Halliday	7/21

provided, however, that nothing herein contained shall be construed as

modifying the provisions of that certain agreement dated May 3, 1945, recorded May 4, 1945, in Volume 172, Page 103, of Official Records of Siskiyou County, concerning ditch rights and method of distribution of water diverted through the North Fork Ditch as between the owners of said ditch.

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The right of Valdmarr J. Berthelsen and Katie C. Berthelsen to use 0.46 cubic foot per second through the North Fork Ditch is subject to the exclusive control of the North Fork Ditch owners R. E. Richman and Vera M. Richman, Calvin A. Ball and Velda C. Ball, Warren J. Halliday and Nedra Halliday, Carl F. Tuttle, Sr., Robert V. Tuttle, John T. Timmons and Marion F. Timmons, their heirs, successors and assigns.

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The right of Calvin A. Ball and Velda C. Ball to use 0.12 cubic foot per second through the North Fork Ditch is subject to the exclusive control of the North Fork Ditch owners R. E. Richman and Vera M. Richman, Calvin A. Ball and Velda C. Ball, Warren J. Halliday and Nedra Halliday, Carl F. Tuttle, Sr., Robert V. Tuttle, John T. Timmons and Marion F. Timmons, their heirs, successors and assigns.

Definition of Water Rights
in Miners Creek Group

19

The Miners Creek Group comprises all rights in and to the water, and in and to the use of water from Miners Creek. Rights in this group, as set forth in Table 3, are interrelated with each other, as defined in paragraph 20,

are independent of the rights in North Fork French Creek Group and superior in right to French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek Group.

20

The respective parties enumerated in Table 3 are entitled to rights in "first priority class", "second priority class", and "third priority class" in and to the use of the natural flow of Miners Creek and its tributaries during the seasons stated in Paragraph 12 of this Stipulation for domestic, stockwatering, and irrigation purposes upon their lands as shown on DWR Map and as described under their names in Table 5, in accordance with the acreages to be supplied, priorities and quantities of water allotted, at the points of diversion as numbered, and as shown after their respective names in Table 3. The rights in "first priority class" are equal in priority and correlative in right, but are superior in priority and in right to all other rights in Table 3, and at all times when the available water supply of Miners Creek and its tributaries is inadequate to supply all rights in "first priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "first priority class". The rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to rights in "first priority class", but are superior in priority and in right to all other rights in Table 3, and at all times when the available water supply of Miners Creek and its tributaries is inadequate to supply all rights in "second priority class", then during the continuance of such shortage, the respective parties shall prorate the available supply, if any, in excess of the quantity required to supply prior rights, in accordance with their

allotments in "second priority class". The rights in "third priority class" are equal in priority and correlative in right, but are subject and inferior to all other rights in Table 3, and at all times when the available water supply of Miners Creek and its tributaries is inadequate to supply all rights in "third priority class" then during the continuance of such shortage, the respective parties shall prorate the available water supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "third priority class".

Definition of Water Rights in French Creek, Payne Lake
Creek, Horse Range Creek, and Duck Lake Creek Group

21

The French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek Group comprises all rights in and to the use of water in French Creek, Payne Lake Creek, Horse Range Creek, and Duck Lake Creek. This group contains rights in seven priority classes as set forth in Table 4 and defined in Paragraph 22 of this Stipulation.

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The respective parties enumerated in Table 4 are entitled to rights in "first priority class", "second priority class", "third priority class", "fourth priority class", "fifth priority class", "sixth priority class", and "seventh priority class", in and to the use of the natural flow of French Creek, Payne Lake Creek, Horse Range Creek, and Duck Lake Creek, and their tributaries during the season stated in Paragraph 12 of this Stipulation, for domestic, stockwatering, industrial, power, and irrigation purposes upon their

lands as shown on Plate 1 and as described under their respective names in Table 5 in accordance with the acreages to be supplied, priorities and quantities of water allotted, at the points of diversion as numbered, and as shown after their names in Table 4. The rights in "first priority class" are equal in priority and correlative in right, but are superior in priority and in right to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek, and Duck Lake Creek and their tributaries is inadequate to supply all rights in "first priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "first priority class". The rights in "second priority class" are equal in priority and correlative in right, are subject and inferior to rights in "first priority class", but are superior in priority and in right to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek, and Duck Lake Creek and their tributaries is inadequate to supply all rights in "second priority class", then during the continuance of such shortage, the respective parties shall prorate the available supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "second priority class". The rights in "third priority class" are equal in priority and correlative in right, are subject and inferior to rights in "first priority class" and in "second priority class", and are superior in priority and in right to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek and their tributaries is inadequate to supply all rights in "third priority class", then during the continuance of such

shortage, the respective parties shall prorate the available supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "third priority class". The rights in "fourth priority class" are equal in priority and correlative in right, are subject and inferior to rights in "first priority class", "second priority class", and "third priority class", but are superior in priority and in right to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek and their tributaries is inadequate to supply all rights in "fourth priority class", then during the continuance of such shortage, the respective parties shall prorate the available supply, if any, in excess of the quantity required to supply prior rights, in accordance with their allotments in "fourth priority class". The rights in "fifth priority class" are equal in priority and correlative in right, but are subject and inferior to rights in "first priority class", "second priority class", "third priority class", and "fourth priority class", but are superior in priority and in right to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek and their tributaries is inadequate to supply all rights in "fifth priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "fifth priority class". The rights in "sixth priority class" are equal in priority and correlative in right, but are subject and inferior to rights in "first priority class", "second priority class", "third priority class", "fourth priority class", and "fifth priority class", but are superior in priority and in right to all other rights in Table 4, and at all times when the

available water supply of French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek and their tributaries is inadequate to supply all rights in "sixth priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "sixth priority class". The rights in "seventh priority class" are equal in priority and correlative in right, but are subject and inferior to all other rights in Table 4, and at all times when the available water supply of French Creek, Payne Lake Creek, Horse Range Creek and Duck Lake Creek and their tributaries is inadequate to supply all rights in "seventh priority class", then during the continuance of such shortage, the respective parties shall prorate the available water supply in accordance with their allotments in "seventh priority class". Provided, however, the right of Valdmarr J. Berthelsen and Katie C. Berthelsen to divert 0.24 cubic foot per second through the Richman Ditch be subject to the control of R. E. Richman and Vera M. Richman and Harvey A. Green; the right of Calvin A. Ball and Velda C. Ball to divert 0.29 cubic foot per second through the Green Ditch be subject to the control of Harvey A. Green; and that the total amount of water which can be diverted by Alphonso J. Fuglistaler from Miners Creek or from water brought into Miners Creek from French Creek shall not exceed 1.06 cubic feet per second.

All water diverted by J. D. Proctor and Ruth A. Proctor from Payne Lake Creek as set forth in Table 4 through the Proctor Payne Lake Creek Ditch for the purpose of operating a power wheel situated in the northeast quarter of Section 32, Township 41, North, Range 9 West, MDB&M., shall be returned to French Creek above the point of diversion of the Bemrod Ditch.

The judgment should provide that it adjudicates the entire right of each and every party as against each and every other party and should contain the usual injunctive provisions in favor of each party against all other parties.

TABLE 1

ALLOTMENTS TO PARTIES FROM
SPRINGS AND UNNAMED STREAMS

Name of user	: :Acreage : to be :supplied :	: Diver- : sion : number : as per :Plate 1	: : : Name of source	: : :Allotments :in cubic feet :per second	: : :Total
Robert E. and Louise Lewis	41.0	27 or 28	Unnamed streams tributary to Miners Creek	0.68	0.68
Alphonso J. Fuglistaler	Domestic	34	Fuglistaler House	0.02	0.02
H. J. Danielson and Elinore Danielson	Domestic	31	Tripp House Spring	0.02	0.02
	Domestic	32	Tripp Stock Spring	0.01	0.01
Eslie E. and William M. Cory	Domestic	38	Cory Spring	0.01	0.01
J. D. and Ruth A. Proctor	Domestic	6	Unnamed Spring tributary to French Creek	0.04	0.04
	Domestic	9	Proctor Domestic Spring	0.02	0.02
	Domestic	12	Proctor Spring	0.01	0.01
John H. and Eleanor A. Mason	Domestic	41 or 42	Mason Spring	0.02	0.02
Valdmar J. and Katie C. Berthelsen	Domestic	46	Berthelsen Spring	0.01	0.01
TOTALS	41.0				0.84

TABLE 2

PRIORITIES AND ALLOTMENTS TO PARTIES
FROM NORTH FORK FRENCH CREEK

Name of user	: Acreage : : to be : : supplied :	: Diver- : : sion : : number : : as per : : DNR map :	Name of : : source :	Allotments		
				: in cubic feet per second		
				: Priorities : Total		
				1	2	3
Long-Bell Lumber Company	19.2	16	North Fork of French Creek	0.38		0.38
W. H. Munson	1.0	16	North Fork of French Creek	0.02		0.02
John T. Timmons and Marion F. Timmons	78.8	17	North Fork of French Creek	0.94		0.94
Carl F. Tuttle Sr. Robert V. Tuttle	200.5	17	North Fork of French Creek	2.82		2.82
Warren J. and Negra Halliday	24.1	17	North Fork of French Creek	0.16		0.16
Calvin A. and Velda C. Ball	112.6	17	North Fork of French Creek	1.41	0.12	1.53
Valdmar J. and Katie C. Berthelsen	27.6	17	North Fork of French Creek		*0.46	*0.46
Oscar A. and Edlean R. Lolax	7.6	18	North Fork of French Creek	0.12		0.12
R. E. and Vera M. Richman	140.0	17	North Fork of French Creek	1.41		1.41
Southern Pacific Land Co.	8.2	18 or 19	North Fork of French Creek	0.14		0.14
TOTALS	619.6			6.74	0.66	0.58 7.98

* Use through diversion 17 as defined in Paragraph 17.

TABLE 3
PRIORITIES AND ALLOTMENTS TO PARTIES
FROM MINERS CREEK

Name of user	: Acreage : to be : supplied :	: Diver- : sion : number : as per : DWR map	: Name : of : source	: Allotments			
				: in cubic feet per second			
				: Priorities : Total			
				: 1	: 2	: 3	:
Robert E. and Louise Lewis	11.8	25 or 26	Miners Creek	0.20			0.20
Alphonso J. Fuglistaler	53.0	29	Miners Creek		1.06 ^a		1.06 ^a
H. J. Danielson and Elinore Danielson	10.4	30	Miners Creek	0.17			0.17
Robert E. and Louise Lewis	73.2	33	Miners Creek	1.22 ^b			1.22 ^b
	6.8	35	Miners Creek		0.14		0.14
Harry M. and Martha B. Bemrod	1.6	37	Miners Creek		0.03		0.03
Eslie E. and William M. Cory	17.8	36	Miners Creek	0.25			0.25
Walter L. Byers and Barbara J. Byers	7.7	35A	Miners Creek		0.13 ^b		0.13 ^b
TOTALS	182.3			0.45	1.39	1.36	3.20

^a To be taken from Miners Creek when available without interfering with prior rights. If not so available from Miners Creek diversion shall be made from Duck Lake Creek as shown in Table 4.

^b If water is not available from Miners Creek, diversion shall be made from French Creek as shown in Table 4.

TABLE 4

PRIORITIES AND ALLOTMENTS TO PARTIES FROM
FRENCH CREEK, PAYNE LAKE CREEK, HORSE RANGE CREEK, AND DUCK LAKE CREEK

Name of party	: Diversion:		Name of source	: Allotments,							: Total
	: Acreage:	: number :		: in cubic feet per second							
				: Priorities							
				: 1 :	: 2 :	: 3 :	: 4 :	: 5 :	: 6 :	: 7 :	
Alphonso J. Fuglistaler	53.0	2	Duck Lake Creek		2.50 ^a						2.50 ^a
H. J. and Elinore Elinore Danielson	86.5	3	French Creek		2.08						2.08
Robert E. and Louise Lewis	84.4	4	French Creek		2.33 ^b						2.33 ^b
J. D. and Ruth A. Proctor	7.7 8.0	5 7	French Creek Horse Range Creek		0.13						
	2.4	8	Horse Range Creek		0.13						
	Domestic	8A	Horse Range Creek		0.04						
	Power ^c	10	Payne Lake Creek		0.10						
	41.8	10	Payne Lake Creek		0.90						
	Domestic	10A	Payne Lake Creek		0.70						
					0.10						2.10 ^c
Harry M. and Martha B. Bemrod	74.6	11	French Creek		1.00	0.92					1.92
Walter L. and Barbara B. Byers	13.2 19.0	11	French Creek			0.44					0.44
Vernon M. Reichert	Domestic	12B	French Creek		0.02						0.02
Charles F. Thompson	Domestic	12C	French Creek		0.02						0.02
Henry and May Aker	2.0 4.8	13 14	French Creek French Creek		0.03 0.08						0.11
Eslie E. and William M. Cory	27.8	20	French Creek		0.58						0.58
John H. and Eleanor A. Mason	18.4 99.5 16.4	20 23 or 39 40	French Creek French Creek French Creek		0.38 1.42						
							0.23				2.03
Harvey A. Green	70.0 16.4 125.6	20 43 44	French Creek French Creek French Creek		1.46						
							0.23 1.55				3.49
Oscar A. and Edlean R. Lolax	19.3 10.1	21 & 24 22	French Creek French Creek		0.25	0.07 0.17					0.49
R. E. and Vera M. Richman	269.2	43	French Creek			0.25	3.60				3.85
Long-Bell Lumber Company	Industrial	45	French Creek					0.25			0.25
Violet H. Faustina	Domestic	12A	French Creek		0.02						0.02
Valdmar J. and Katie C. Berthelsen	16.8 10.8	43 47	French Creek French Creek					0.24 0.15			0.39
Calvin A. and Velda C. Ball	14.4 25.3 9.8 20.5	43 47 47A 44	French Creek French Creek French Creek French Creek					0.21 0.40			
									0.29	0.21	1.11
Madelyn Browne	53.2	48	French Creek							0.76	0.76
TOTALS	1,336.2 1,520.4			5.36	5.65	4.00	6.74	1.48	0.29	0.97	24.49

a The amount of water delivered to the southerly boundary of the Alphonso J. Fuglistaler ranch shall not exceed 1.06 cubic feet per second.

b The amount of water diverted from either French Creek or Miners Creek when measured at the head of the Cail South ditch (Diversion 33) shall not exceed 1.46 cubic feet per second.

c Water diverted for power purposes is to be returned unimpaired to Payne Lake Creek and shall be so considered in deriving the water supply available for other rights.

TABLE 5
DESCRIPTION OF PLACES OF USE

Henry Aker and May Aker

2.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.
 4.8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.
 6.8 acres - Total

Calvin A. Ball and Velda C. Ball

36.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 6.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 18.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 3.2 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 27.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 19.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 16.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 2.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 27.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 31.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 187.6 acres - Total

Harry M. Bemrod and Martha B. Bemrod

14.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
 28.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
 5.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
 26.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.
 76.2

Valdmar J. Berthelsen and Katie C. Berthelsen

22.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 16.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 17.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
 55.2 acres - Total

Madelyn Browne

0.8 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 17.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 10.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 12.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 12.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 53.2 acres - Total

TABLE 5
DESCRIPTION OF PLACES OF USE
(continued)

Walter L. Byers and Barbara J. Byers

19.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.

William M. Cory and Esle E. Cory

2.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
16.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
26.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
45.6 acres - Total

H. J. Danielson and Elinore E. Danielson

32.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
21.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
12.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
14.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
0.3 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
3.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
12.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 33, T41N, R9W, MDB&M.
96.9 acres - Total

Violet H. Faustina

3.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.

Alphonso J. Fuglistaler

*0.3 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
*1.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
*0.7 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
10.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
10.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
11.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
18.4 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, T41N, R9W, MDB&M.
53.0 acres - Total

Harvey A. Green

40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
32.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T41N, R9W, MDB&M.
2.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T41N, R9W, MDB&M.
16.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T41N, R9W, MDB&M.
36.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, T41N, R9W, MDB&M.
28.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
16.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
212.0 acres - Total

* Denotes land irrigated outside of property line.

TABLE 5
DESCRIPTION OF PLACES OF USE
(continued)

Warren J. Halliday and Negra Halliday

1.1 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T42N, R9W, MDB&M.
22.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T42N, R9W, MDB&M.
1.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34, T42N, R9W, MDB&M.
24.1 acres - Total

Robert E. Lewis and Louise Lewis

24.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
12.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
17.2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
4.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
27.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
4.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, T41N, R9W, MDB&M.
1.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.
91.2 acres - Total

Robert E. Lewis and Louise Lewis

8.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, T40N, R9W, MDB&M.
30.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T40N, R9W, MDB&M.
4.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, T40N, R9W, MDB&M.
8.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 9, T40N, R9W, MDB&M.
52.8 acres - Total

Oscar A. Lolax and Edlean R. Lolax

20.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
8.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
8.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
37.0 acres - Total

Long-Bell Lumber Company

13.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T41N, R9W, MDB&M.
5.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 29, T41N, R9W, MDB&M.
1.6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 5, T40N, R9W, MDB&M.
20.8 acres - Total

John H. Mason and Eleanor A. Mason

2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
18.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
26.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
12.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
25.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.

TABLE 5
DESCRIPTION OF PLACES OF USE
(continued)

John H. Mason and Eleanor A. Mason (continued)

1.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, T41N, R9W, MDB&M.
15.3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
32.4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22, T41N, R9W, MDB&M.
134.3 acres - Total

W. H. Munson

0.2 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20, T41N, R9W, MDB&M.
0.8 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, T41N, R9W, MDB&M.
1.0 acre - Total

J. D. Proctor and Ruth A. Proctor

6.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, T41N, R9W, MDB&M.
11.2 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, T41N, R9W, MDB&M.
2.8 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, T41N, R9W, MDB&M.
3.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
0.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
2.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
16.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
4.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
5.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
3.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
1.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
*4.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, T41N, R9W, MDB&M.
61.3 acres - Total

Vernon M. Reichert

Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.

R. E. Richman and Vera M. Richman

12.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
6.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
22.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
25.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
14.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
40.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
42.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
16.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
17.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
42.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.

* Denotes land irrigated outside of property line.

TABLE 5
DESCRIPTION OF PLACES OF USE
(continued)

R. E. Richman and Vera M. Richman (continued)

10.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 2.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 38.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 4.8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 11.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 29.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 42.4 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 20.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
12.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 11, T41N, R9W, MDB&M.
 409.2 acres - Total

John T. Timmons and LaVerne Dillman

10.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 18.6 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 21.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 1.8 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 10, T41N, R9W, MDB&M.
 1.6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 3.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
22.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 78.8 acres - Total

Charles F. Thompson

Domestic SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, T41N, R9W, MDB&M.

Carl F. Tuttle Sr., and Robert V. Tuttle

0.7 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 5.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 26.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 26.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 11.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 35.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 42.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 42.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 2, T41N, R9W, MDB&M.
 42.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 43.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 42.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 36.0 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 24.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 17.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 16.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 1.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
 34.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.

TABLE 5
DESCRIPTION OF PLACES OF USE
(continued)

Carl F. Tuttle, Sr. and Robert V. Tuttle (continued)

40.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
11.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
3.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 3, T41N, R9W, MDB&M.
6.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T42N, R9W, MDB&M.
8.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T42N, R9W, MDB&M.
0.3 acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T42N, R9W, MDB&M.
4.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T42N, R9W, MDB&M.
519.0 acres - Total

Southern Pacific Land Company

6.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T41N, R9W, MDB&M.
1.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 21, T41N, R9W, MDB&M.
8.2 acres - Total

TABLE 6
POINTS OF DIVERSION FROM FRENCH CREEK
STREAM SYSTEM

Name of diversion system	: Number :	: of : Approximate location of point of diversion			
		: diversion:	Legal subdivi-	: Reference	: Bearing : Distance
		: on Divi-	sion in which	: corner for	: from : from
		: sion of :	diversion	: distance and	: reference: reference
		: Water :	occurs	: bearing	: corner : corner
		: Resources:		:	: in feet
		: Map :	MDB&M.	: MDB&M.	:
Fuglistaler French Creek Ditch	1	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 8, T4ON, R9W	N $\frac{1}{4}$ Cor. Sec. 8, S 22° W T4ON, R9W	2050	
Fuglistaler Duck Lake Creek Ditch	2	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 7, T4ON, R9W	NE Cor. Sec. 7, S 56° W T4ON, R9W	1650	
Tripp French Creek Ditch	3	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 5, T4ON, R9W	E $\frac{1}{4}$ Cor. Sec. 5, S 87° W T4ON, R9W	1200	
Caill French Creek Ditch	4	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T4ON, R9W	E $\frac{1}{4}$ Cor. Sec. 5, N 52° W T4ON, R9W	1200	
Proctor French Creek Ditch	5	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 5, T4ON, R9W	E $\frac{1}{4}$ Cor. Sec. 5, N 38° W T4ON, R9W	1250	
Proctor Meadow Ditch	6	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T41N, R9W	SE Cor. Sec. 32, N 48° W T41N, R9W	1300	
Proctor South Horse Range Creek Ditch	7	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 5, T4ON, R9W	N $\frac{1}{4}$ Cor. Sec. 5, S 66° W T4ON, R9W	600	
Proctor North Horse Range Creek Ditch	8	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 32, T41N, R9W	S $\frac{1}{4}$ Cor. Sec. 32, N 16° W T41N, R9W	1500	
Proctor Domestic Horse Range Creek Ditch	8A	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 32, T41N, R9W	S $\frac{1}{4}$ Cor. Sec. 32, N 10° E T41N, R9W	1900	
Proctor Domestic Spring	9	SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T41N, R9W	NE Cor. Sec. 32, S 42° W T41N, R9W	1900	
Proctor Payne Lake Creek Ditch	10	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32, T41N, R9W	W $\frac{1}{4}$ Cor. Sec. 32, N 86° E T41N, R9W	2700	
Proctor Domestic Payne Lake Creek Ditch	10A	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T41N, R9W	E $\frac{1}{4}$ Cor. Sec. 32, N 30° W T41N, R9W	1900	
Bemrod Ditch	11	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T41N, R9W	NE Cor. Sec. 32, S 60° W T41N, R9W	1450	
Proctor Spring	12	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 29, T41N, R9W	E $\frac{1}{4}$ Cor. Sec. 29, S 23° W T41N, R9W	1000	

TABLE 6
POINTS OF DIVERSION FROM FRENCH CREEK
STREAM SYSTEM
(continued)

Name of diversion system	Number of	Approximate location of point of diversion			
		Legal subdivi- sion in which diversion occurs	Reference corner for distance and bearing	Bearing from reference corner	Distance from reference corner in feet
		Map	MDB&M.	MDB&M.	
Faustina Pump Proposed	12A	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.20, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.28, T41N, R9W	S 37° W	980
Reichert Pump Proposed	12B	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.28, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.28, T41N, R9W	N 10° E	500
Thompson Pump Proposed	12C	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.28, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.28, T41N, R9W	N 20° E	600
Aker South Ditch	13	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.28, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.28, T41N, R9W	S 40° W	1700
Aker North Ditch	14	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.28, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.28, T41N, R9W	S 39° W	1200
Smith Lake Siphon	15	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.26, T41N, R10W	S $\frac{1}{4}$ Cor. Sec.26, T41N, R10W	N 39° E	1650
Long-Bell Ditch	16	SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.29, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.29, T41N, R9W	N 82° E	1300
North Fork Ditch	17	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.21, T41N, R9W	SW Cor. Sec.21, T41N, R9W	N 1° E	1000
Caloia Upper North Fork Ditch	18	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.21, T41N, R9W	SW Cor. Sec.21, T41N, R9W	N 52° E	1100
Caloia Lower North Fork Ditch	19	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.21, T41N, R9W	S $\frac{1}{4}$ Cor. Sec.21, T41N, R9W	N 52° W	600
Company Ditch	20	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.28, T41N, R9W	NE Cor. Sec.28, T41N, R9W	S 87° W	1350
Caloia Upper Ditch	21	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.21, T41N, R9W	SE Cor. Sec.21, T41N, R9W	N 37° W	800
Caloia Middle Ditch	22	SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.22, T41N, R9W	SW Cor. Sec.22, T41N, R9W	N 11° E	1250
Milk House Ditch	23	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.22, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.22, T41N, R9W	S 12° E	1250

TABLE 6
POINTS OF DIVERSION FROM FRENCH CREEK
STREAM SYSTEM
(continued)

Name of diversion system	: Number : of : diversion: : on Divi- : sion of : Water : Resources: : Map	Approximate location of point of diversion			
		Legal subdivi- sion in which diversion occurs MDB&M.	Reference corner for distance and bearing MDB&M.	Bearing from reference corner in feet	Distance from reference corner in feet
Caloia Lower Ditch	24	NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T41N, R9W	W $\frac{1}{4}$ Cor. Sec. 22, S 77° E T41N, R9W		900
Lewis Lower South Ditch	25	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T40N, R9W	SE Cor. Sec. 8, N 12° W T40N, R9W		1050
Lewis Upper South Ditch	26	NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T40N, R9W	E $\frac{1}{4}$ Cor. Sec. 8, S 10° W T40N, R9W		1200
Lewis Lower West Ditch	27	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T40N, R9W	SE Cor. Sec. 8, N 50° W T40N, R9W		2300
Lewis Upper West Ditch	28	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 8, T40N, R9W	E $\frac{1}{4}$ Cor. Sec. 8, S 68° W T40N, R9W		1900
Fuglistaler Miners Creek Ditch	29	SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, T40N, R9W	S $\frac{1}{4}$ Cor. Sec. 4, N 45° E T40N, R9W		100
Tripp Miners Creek Ditch	30	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 33, T41N, R9W	SE Cor. Sec. 33, N 75° W T41N, R9W		1200
Tripp House Spring	31	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T41N, R9W	N $\frac{1}{4}$ Cor. Sec. 33, S 58° E T41N, R9W		1000
Tripp Stock Spring	32	NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T41N, R9W	NE Cor. Sec. 33, S 76° W T41N, R9W		700
Cail South Ditch	33	NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T41N, R9W	NW Cor. Sec. 34, S 28° E T41N, R9W		1300
Fuglistaler House Spring	34	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T41N, R9W	N $\frac{1}{4}$ Cor. Sec. 34, S 22° W T41N, R9W		1900
Cail North Ditch	35	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 34, T41N, R9W	NW Cor. Sec. 34, S 15° E T41N, R9W		1500
Byers-Ditch	35A	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27, T41N, R9W	Ctr. Sec. 27, N 18° W T41N, R9W		1500
Cory Ditch	36	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T41N, R9W	S $\frac{1}{4}$ Cor. Sec. 22, N 45° W T41N, R9W		1000
Bemrod Pump Proposed	37	SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T41N, R9W	S $\frac{1}{4}$ Cor. Sec. 22, N 53° W T41N, R9W		1600

TABLE 6
POINTS OF DIVERSION FROM FRENCH CREEK
STREAM SYSTEM
(continued)

Name of diversion system	Approximate location of point of diversion				
	Number of diversion: on Divi- sion of Water Resources: Map	Legal subdivi- sion in which diversion occurs MDB&M.	Reference corner for distance and bearing MDB&M.	Bearing from reference corner :	Distance from reference corner in feet :
Cory Spring	38	NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.22, T41N, R9W	S $\frac{1}{4}$ Cor. Sec.22, N 2° E T41N, R9W		2300
Swamp Ditch	39	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.22, T41N, R9W	W $\frac{1}{4}$ Cor. Sec.22, N 59° E T41N, R9W		1950
Mason Ditch	40	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.22, T41 N, R9W	NW Cor. Sec.22, S 63° E T41N, R9W		1600
Mason House Spring	41	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.22, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.22, S 34° E T41N, R9W		1300
Mason Stock Spring	42	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.22, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.22, S 46° E T41N, R9W		1500
Richman Ditch	43	NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec.15, T41N, R9W	S $\frac{1}{4}$ Cor. Sec.15, N 13° W T41N, R9W		1800
Green Ditch	44	SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.15, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.15, S 4° E T41N, R9W		2250
Long-Bell Pump	45	SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.15, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.15, S 10° E T41N, R9W		1600
Berthelsen Spring	46	NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.15, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.15, S 48° W T41N, R9W		550
Berthelsen-Ball Ditch	47	NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.15, T41N, R9W	NE Cor. Sec.15, S 70° W T41N, R9W		1600
Ball Ditch	47A	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.10, T41N, R9W	NE Cor. Sec.15, N 20° W T41N, R9W		700
Browne Ditch	48	SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec.10, T41N, R9W	SE Cor. Sec.10, N 10° W T41N, R9W		700

TABLE 6
POINTS OF DIVERSION FROM FRENCH CREEK
STREAM SYSTEM
(continued)

		: Number :	Approximate location of point of diversion			
		: of :				
		: diversion:	Legal subdivi-	: Reference	: Bearing	: Distance
		: on Divi-	sion in which	: corner for	: from	: from
		: sion of :	diversion	: distance and	: reference:	: reference
		: Water :	occurs	: bearing	: corner	: corner
		: Resources:		:		: in feet
		: Map :	MDB&M.	: MDB&M.	:	:
Timmons Upper Ditch	49		SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.10, T41N, R9W	E $\frac{1}{4}$ Cor. Sec.10, N 88° W T41N, R9W		2450
Timmons Middle Ditch	50		SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec.10, T41N, R9W	E $\frac{1}{4}$ Cor. Sec.10, N 89° W T41N, R9W		1100
Timmons Lower Ditch	51		SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.11, T41N, R9W	E $\frac{1}{4}$ Cor. Sec.10, N 4° E T41N, R9W		700
Richman Clarks Creek Ditch	52		SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.11, T41N, R9W	N $\frac{1}{4}$ Cor. Sec.11, S 21° W T41N, R9W		1500

IN WITNESS WHEREOF the parties hereto have affixed their

Date _____

This image shows a blank sheet of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible on each side of the central binding area. The paper appears to be from a notebook or a standard ruled document.

This image shows a single page of white paper with horizontal black ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears slightly aged or off-white.

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